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*Attorneys for Federal Defendants*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)

CENTER FOR BIOLOGICAL  
DIVERSITY, et al.,

Plaintiffs,  
v.

KEN SALAZAR, Secretary, U.S.  
Department of the Interior, et al.,

Defendants.

Case No: CV-08-5546-MHP

**JOINT STIPULATION TO EXTEND  
THE TIME IN WHICH TO RESPOND  
TO PLAINTIFFS' COMPLAINT AND  
TO SET DATE FOR PRODUCTION  
OF ADMINISTRATIVE RECORD**

1 WHEREAS, Plaintiffs filed the above captioned case on December 11, 2008;

2 WHEREAS, Plaintiffs served the United States Attorney's Office for the Northern District  
3 of California with the Summons and Complaint on December 11, 2008;

4 WHEREAS, pursuant to Federal Rule of Civil Procedure 12(a), Defendants' response to  
5 Plaintiffs' Complaint would be due on February 9, 2009;

6 WHEREAS, Defendants aver that they require additional time, up to and including March  
7 13, 2009, in which to formulate a response to the issues presented in the Plaintiffs' Complaint;

8 WHEREAS, pursuant to Civ. L.R. 6-1, the "[p]arties may stipulate in writing, without a  
9 Court order, to extend the time within which to answer or otherwise respond to the complaint . . .  
10 provided the change will not alter the date of any event or any deadline already fixed by Court  
11 order. . .";

12 WHEREAS, the agreed-upon extension will not affect or alter any current scheduling  
13 deadlines fixed by this Court's Order Setting Initial Case Management Conference and ADR  
14 Deadlines (Docket No. 4);

15 WHEREAS, without prejudice to any argument, claim, or defense that any party may have  
16 in this case, the parties agree that Defendants shall file and serve the administrative records for the  
17 challenged actions in this case by April 15, 2008,

18 NOW, THEREFORE, the parties hereby stipulate as follows:

- 19 1. Defendants' time in which to respond to Plaintiffs' Complaint shall be enlarged to  
20 March 13, 2009.
  - 21 2. Defendants shall file and serve the administrative records to Plaintiffs by April 15,  
22 2009.
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DATED February 5, 2009

Respectfully submitted,

JOHN C. CRUDEN  
Acting Assistant Attorney General  
United States Department of Justice  
Environment & Natural Resources Division

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DATED February 5, 2009

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(with permission)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 5, 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification to the attorneys of record.

I also certify that, on February 5, 2009, I sent the foregoing via overnight mail to the following attorney of record:

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/s/ Erik Petersen  
Erik E. Petersen, Trial Attorney

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Case No: CV-08-5546-MHP

**[PROPOSED] ORDER REGARDING  
JOINT STIPULATION TO EXTEND  
THE TIME IN WHICH TO RESPOND  
TO PLAINTIFFS' COMPLAINT AND  
TO SET DATE FOR PRODUCTION  
OF ADMINISTRATIVE RECORD**

This matter having come before the Court on the parties' Joint Stipulation to Extend the Time in which to Respond to Plaintiffs' Complaint and to Set Date for Production of Administrative Record, the Court finds that:

1. Defendants' time in which to respond to Plaintiffs' Amended Complaint shall be enlarged to March 13, 2009.
2. Defendants shall produce the administrative records to Plaintiffs by April 15, 2009.

IT IS SO ORDERED,

